

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.15114 of 2017
DECIDED ON: August 16, 2017

SMT. SUMAN LATA

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. GL. Bajaj, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ especially in the nature of mandamus, directing the respondents to release the benefit of 14 years Assured Career Progression Scheme (ACP) to the petitioner on account of services rendered by her deceased husband with respondents No. 1 to 4 with all consequential benefits along with interest @ 12% from the due date till its actual realization, in view of scheme dated 03.11.2006 (P-1). And further to release interest @ 12% on delayed payment of 9 years ACP to the petitioner.

2. The contention of learned counsel for the petitioner is that despite the fact that vide letter No.3448 dated 22.09.2016 (Annexure P-5), the Circle Education Officer, Jalandhar was directed to dispose of the case of the petitioner

regarding grant of ACP on completion of 14 years of service within a period of 2 days by Assistant Director (1) but till date, the Circle Education Officer has not taken any action, which is a clear cut disobedience of necessary orders passed by Assistant Director (1). Even, legal notice dated 12.03.2017 (Annexure P-7) neither fetch any reply nor the relief sought by the petitioner has been granted to him so far.

3. In the facts and circumstances of the instant case, the petition is disposed of with the direction to respondent No.2-Director Public Instructions, Department of Education (SE), Punjab, Punjab School Education Board Complex, Phase VIII, SAS Nagar, Mohali, Punjab to look into the grievances unfolded by the petitioner in her legal notice dated 12.03.2017 (Annexure P-7) and decide the same by passing a speaking order, that too, after giving the opportunity of hearing to the petitioner, within a period of three months from the date of receipt of certified copy of this order. Respondent No.2 is further directed to inquire into the non-compliance of letter dated 22.09.2016 issued by Assistant Director (1) and take appropriate disciplinary action against the erring official(s).

August 16, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***